

## AMENDMENTS TO THE CLAIMS:

The following claim listing will replace all previous listings of the claims:

1-91. (Cancelled)

92. (Currently amended) An isolated nucleic acid comprising a sequence of nucleotides encoding or complementary to a sequence encoding a flavonoid methyltransferase (FMT) which FMT methylates anthocyanins, said sequence of nucleotides comprising a nucleotide sequence selected from the listing consisting of:

- (i) the nucleotide sequence set forth in SEQ ID NO:11;
- (ii) a nucleotide sequence having at least about 70% identity after optimal alignment to SEQ ID NO:11;
- (iii) a nucleotide sequence capable of hybridizing under ~~medium~~high stringency conditions to SEQ ID NO:11 or its complementary form;
- (iv) a nucleotide sequence encoding the amino acid sequence set forth in SEQ ID NO:12;
- (v) a nucleotide sequence encoding an amino acid sequence having at least about 80% similarity after optimal alignment to SEQ ID NO:12; and
- (vi) a nucleotide sequence capable of hybridizing under ~~medium~~high stringency conditions to the nucleotide sequence in (iv) or (v) or its complementary form.

93. (Previously presented) The isolated nucleic acid of claim 92, wherein said sequence of nucleotides comprises a nucleotide sequence having at least about 95% identity after optimal alignment to SEQ ID NO:11.

94. (Previously presented) The isolated nucleic acid of claim 92, wherein said sequence of nucleotides comprises a nucleotide sequence encoding an amino acid sequence having at least about 95% identity after optimal alignment to SEQ ID NO:12.

95. (Previously presented) The isolated nucleic acid molecule of claim 92 wherein the FMT

is a Class I *S*-adenosyl-L-methionine *O*-methyltransferase (SAM-OMTs).

96. (Previously presented) The isolated nucleic acid molecule of claim 92 wherein the FMT is 3'FMT or 3'5'FMT.

97. (Currently amended) The isolated nucleic acid molecule of claim 92 wherein ~~the~~said anthocyanin ~~molecule~~ is a derivate of delphinidin.

98. (Currently amended) The isolated nucleic acid molecule of claim 92 wherein ~~the~~said anthocyanin ~~molecule~~ is a derivative of petunidin or cyanidin.

99. (Currently amended) The isolated nucleic acid molecule of claim 92 wherein ~~the~~said anthocyanin ~~molecule~~ is delphinidin 3-glucoside, delphinidin 3,5-diglucoside or delphinidin 3-rutinoside.

100. (Currently amended) A genetic construct comprising a nucleic acid molecule encoding or complementary to a sequence encoding a flavonoid methyltransferase (FMT) which methylates anthocyanins, the genetic construct comprising the nucleotide sequence selected from the list consisting of:

- (i) the nucleotide sequence set forth in SEQ ID NO:11;
- (ii) a nucleotide sequence having at least about 70% identity after optimal alignment to SEQ ID NO:11;
- (iii) a nucleotide sequence capable of hybridizing under ~~medium~~high stringency conditions to SEQ ID NO:11 or its complementary form;
- (iv) a nucleotide sequence encoding the amino acid sequence set forth in SEQ ID NO:12;
- (v) a nucleotide sequence encoding an amino acid sequence having at least about 80% similarity after optimal alignment to SEQ ID NO:12; and
- (vi) a nucleotide sequence capable of hybridizing under ~~medium~~high stringency

conditions to the nucleotide sequence in (iv) or (v) or its complementary form.

101. (Previously presented) The genetic construct of claim 100, wherein said sequence of nucleotides comprises a nucleotide sequence having at least about 95% identity after optimal alignment to SEQ ID NO:11.

102. (Previously presented) The genetic construct of claim 100, wherein said sequence of nucleotides comprises a nucleotide sequence encoding an amino acid sequence having at least about 95% identity after optimal alignment to SEQ ID NO:12.

103. (Currently amended) A genetically modified plant or part thereof or cells therefrom comprising an isolated genetic material encoding or complementary to a sequence encoding a flavonoid methyltransferase (FMT) which methylates anthocyanins, the isolated genetic ~~mutant~~material comprising a nucleotide sequence selected from the list consisting of:

- (i) the nucleotide sequence set forth in SEQ ID NO:11;
- (ii) a nucleotide sequence having at least about 70% identity after optimal alignment to SEQ ID NO:11;
- (iii) a nucleotide sequence capable of hybridizing under ~~medium~~high stringency conditions to SEQ ID NO:11 or its complementary form;
- (iv) a nucleotide sequence capable of encoding the amino acid sequence set forth in SEQ ID NO:12;
- (v) a nucleotide sequence capable of encoding an amino acid sequence having at least about 80% similarity after optimal alignment to SEQ ID NO:12; and
- (vi) a nucleotide sequence capable of hybridizing under ~~medium~~high stringency conditions to the nucleotide sequence in (iv) or (v) or its complementary form.

104. (Previously presented) The genetically modified plant or part thereof or cells of claim 103, wherein said sequence of nucleotides comprises a nucleotide sequence having at least about 95% identity after optimal alignment to SEQ ID NO:11.

105. (Previously presented) The genetically modified plant or part thereof or cells of claim 103, wherein said sequence of nucleotides comprises a nucleotide sequence encoding an amino acid sequence having at least about 95% identity after optimal alignment to SEQ ID NO:12.
106. (Previously presented) The genetically modified plant or part thereof or cells therefrom of claim 103 wherein said plant or part thereof or cells therefrom is from a cut-flower species.
107. (Previously presented) The genetically modified plant or part thereof or cells therefrom of claim 103 wherein said plant or part thereof or cells therefrom is a horticultural plant species.
108. (Previously presented) The genetically modified plant or part thereof or cells therefrom of claim 103 wherein said plant or part thereof or cells therefrom is an agricultural plant species.
109. (Previously presented) The genetically modified plant or part thereof or cells thereof of any one of claims 106-108 wherein the plant exhibits altered flowers or inflorescence.
110. (Previously presented) The genetically modified plant or part thereof or cells therefrom of any one of claims 106-108 wherein said altered part is a sepal, bract, petiole, peduncle, ovary or anther stem.
111. (Previously presented) The genetically modified plant or part thereof or cells therefrom of any one of claims 106-108 wherein said altered part is a leaf, root, flower, seed, fruit, nut, berry or vegetable.
112. (Previously presented) Flowers cut or severed from the plant of claim 106 or 107.
113. (Previously presented) Progeny, offspring of progeny or vegetative propagated lines of the genetically modified plant of any one of claims 106 wherein the progeny or offspring of said progeny comprise the isolated genetic material.

114. (Withdrawn) An extract from a plant or plant part of claim 106 or 107.

115. (Withdrawn) The extract of claim 114 wherein the extract is a flavoring or food additive or health product or beverage or juice or coloring.

116. (New) An isolated nucleic acid comprising a sequence of nucleotides encoding or complementary to a sequence encoding a flavonoid methyltransferase (FMT) which FMT methylates anthocyanins, said sequence of nucleotides comprising a nucleotide sequence selected from the listing consisting of:

- (i) the nucleotide sequence set forth in SEQ ID NO:11;
- (ii) a nucleotide sequence having at least about 70% identity with SEQ ID NO:11;
- (iii) a nucleotide sequence capable of hybridizing under stringency conditions to SEQ ID NO:11 or its complementary form, wherein said stringency conditions comprise hybridization in 50% v/v formamide, 1M NaCl, 10% w/v dextran sulphate, 1% w/v SDS at 42°C, and washing in 0.2-2XSSC, 1% w/v SDS at 65°C;
- (iv) a nucleotide sequence encoding the amino acid sequence set forth in SEQ ID NO:12; and
- (v) a nucleotide sequence encoding an amino acid sequence having at least about 80% similarity to SEQ ID NO:12.

117. (New) The nucleic acid of claim 92 or claim 116, wherein said FMT is 3'5' FMT.